UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 December 2007*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-12* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to the amendment filed on 12/13/07.

2.   Claims 1-12 are pending.

Response to Amendment

3.   The 112/2nd paragraph rejections to claims 4, 8 and 12 are withdrawn as the

amendment overcomes the 112/2nd paragraph rejections.

Response to Arguments

4.   Applicant's arguments with respect to amended claims 1-12 have been

considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5.   Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Chang et al. US Patent Application Publication No. 20030131110 (hereinafter Chang) in

view of Glassman et al. US 20030149900 (hereinafter Glassman).

6.   As per claims 5, Chang discloses an authentication information processing

device comprising: apparatus information acquiring module acquiring apparatus

information of a user apparatus requesting a log-in (paragraph 28-32); log-in procedure

determining module determining a log-in procedure to be applied to the user apparatus

on the basis of the apparatus information (paragraphs 30, 34 and 39); log-in accepting

module accepting a log-in operation from the user apparatus; and log-in judging module

judging, based on the determined log-in procedure and on the accepted log-in

operation, whether the log-in from the user apparatus is permitted or not (paragraph

34).

7.   Chang does not disclose a last log-in time storing module storing a last log-in

time of the user apparatus, the last log-in time being related to the apparatus

information; and a security level storing module storing a security level with a last log-in

date related to the security level, wherein the log-in procedure judging module

determines the log-in procedure by raising the security level when a period longer than

a predetermined period has elapse since the last log-in time; the device further

comprising an accumulated log-in count storing module storing an accumulated log-in

count from the user apparatus with the accumulated log-in count related to the

apparatus information, wherein the log-in judging module determines to the log-in

procedure in accordance with the accumulated log-in count, wherein the log-in

procedure judging module determines the log-in procedure by lowering the security

level when the period since the last log-in time is shorter than a short predetermined

period; further comprising security level determining module determining a security level

for the user apparatus by referring to at least an accumulated log-in count, wherein the

log-in procedure determining means determines the log-in procedure in accordance with

the security level and the security level is lowered when formal log-in procedure is

repeated. Glassman discloses a system for providing multi-class processing of login

requests, wherein information regarding prior login requests by the user are saved, such

information including login cookie identifier, login cookie class, login-valid-after time, and

invalid login count. (figs. 2-8) When a user having a second class cookie attempts to

login at a time after the login-valid-after time, and if the user's credential information is

valid, the user's security cookie is raised to a first class cookie. (paragraph 35) When a

user having a first class cookie attempts to login at a time before the login-valid-after

time, the user is denied access, and the user's security cookie is lowered to a second

class cookie. (paragraphs 29 and 34) Also, if the user attempts a successive number of

invalid login attempts, the user's security cookie is lowered to a second class cookie

(paragraph 34), and/or the a login state of the system is changed from "normal" to

"under attack." (paragraphs 41-43 and 59-63) Glassman discloses that such feature

enables the system to identify legitimate login requests from login attacks. (paragraph 5)

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention

was made wherein the invention of Chang further comprising: a last log-in time storing

module storing a last log-in time of the user apparatus, the last log-in time being related

to the apparatus information; and a security level storing module storing a security level

with a last log-in date related to the security level, wherein the log-in procedure judging

module determines the log-in procedure by raising the security level when a period

longer than a predetermined period has elapse since the last log-in time; the device

further comprising an accumulated log-in count storing module storing an accumulated

log-in count from the user apparatus with the accumulated log-in count related to the

apparatus information, wherein the log-in judging module determines to the log-in

procedure in accordance with the accumulated log-in count, wherein the log-in

procedure judging module determines the log-in procedure by lowering the security

level when the period since the last log-in time is shorter than a short predetermined

period; further comprising security level determining module determining a security level

for the user apparatus by referring to at least an accumulated log-in count, wherein the

log-in procedure determining means determines the log-in procedure in accordance with

the security level and the security level is lowered when formal log-in procedure is

repeated. One would be motivated to do so to identify legitimate login requests from

log-in attacks. The aforementioned cover the limitations of claims 5-8.

8.   As per claims 1-4, they are claims corresponding to claims 5-8, and they do not

teach or define above the information claimed in claims 5-8. Therefore, claims 1-4 are

rejected as being unpatentable over Chang in view of Glassman for the same reasons

set forth in the rejections of claims 5-8.

9.   As per claims 9-12, they are claims corresponding to claims 5-8, and they do not

teach or define above the information claimed in claims 5-8. Therefore, claims 9-12 are

rejected as being unpatentable over Chang in view of Glassman for the same reasons

set forth in the rejections of claims 5-8.

10.   Claims 1, 2, 5, 6, 9 and 10 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Chang in view of Henry US 5,774,058 (hereinafter Henry).

11.   As per claims 5 and 6, Chang discloses an authentication information processing

device comprising: apparatus information acquiring module acquiring apparatus

information of a user apparatus requesting a log-in (paragraph 28-32); log-in procedure

determining module determining a log-in procedure to be applied to the user apparatus

on the basis of the apparatus information (paragraphs 30, 34 and 39); log-in accepting

module accepting a log-in operation from the user apparatus; and log-in judging module

judging, based on the determined log-in procedure and on the accepted log-in

operation, whether the log-in from the user apparatus is permitted or not (paragraph

34). Chang does not disclose a last log-in time storing module storing a last log-in time

of the user apparatus, the last log-in time being related to the apparatus information;

and a security level storing module storing a security level with a last log-in date related

to the security level, wherein the log-in procedure judging module determines the log-in

procedure by raising the security level when a period longer than a predetermined

period has elapse since the last log-in time; an accumulated log-in count storing module

storing an accumulated log-in count from the user apparatus with the accumulated log-

in count related to the apparatus information, wherein the log-in judging module

determines to the log-in procedure in accordance with the accumulated log-in count.

Henry discloses a remote access login system, whereby access is effectuated using a

digital key, whereby the system stores the following key information: Last-Login-Date,

Successive-Bad-PIN-Count (number of successive attempts with an invalid PIN), Status

(active or deactivated key). (col. 11:27-40) When the number of successive attempts

with an invalid PIN reaches a certain threshold, the key is deactivated. (11:45-12:26)

Also, Henry discloses that the system stores an Idle-Key-Life variable, wherein if Idle-

Key-Life days have passed since the last login using a particular key, the key is

deactivated. (13:25-32; 20:12-26) Henry discloses that such features allow an

administrator to configure operating parameters to prevent unauthorized personnel from

accessing the device. (2:61-65) Therefore, it would be obvious to one of ordinary skill in

the art at the time the invention was made for the invention of Chang to further

comprise: a last log-in time storing module storing a last log-in time of the user

apparatus, the last log-in time being related to the apparatus information; and a security

level storing module storing a security level with a last log-in date related to the security

level, wherein the log-in procedure judging module determines the log-in procedure by

raising the security level when a period longer than a predetermined period has elapse

since the last log-in time; an accumulated log-in count storing module storing an

accumulated log-in count from the user apparatus with the accumulated log-in count

related to the apparatus information, wherein the log-in judging module determines to

the log-in procedure in accordance with the accumulated log-in count. One would be

motivated to do so to allow an administrator to configure operating parameters to

prevent unauthorized personnel from accessing the device. The aforementioned cover

the limitations of claims 5 and 6.

12.   As per claims 1 and 2, they are claims corresponding to claims 5 and 6, and they

do not teach or define above the information claimed in claims 5 and 6. Therefore,

claims 1 and 2 are rejected as being unpatentable over Chang in view of Henry for the

same reasons set forth in the rejections of claims 5 and 6.

13.   As per claims 9 and 10, they are claims corresponding to claims 5 and 6, and

they do not teach or define above the information claimed in claims 5 and 6. Therefore,

claims 9 and 10 are rejected as being unpatentable over Chang in view of Henry for the

same reasons set forth in the rejections of claims 5 and 6.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Communications Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUNG KIM whose telephone number is (571)272-3804. The examiner can normally be reached on FLEX.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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